UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/C.12/1993/18
5 January 1994

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLES 16 AND 17 OF THE COVENANT

Concluding observations of the Committee on
Economic, Social and Cultural Rights

SENEGAL

1. The Committee considered the initial report of Senegal concerning the rights covered by articles 6 to 9 of the International Covenant on Economic, Social and Cultural Rights (E/1984/6/Add.22) at its 37th and 38th meetings held on 1 and 2 December 1993, and adopted* the following concluding observations:

A. Introduction

2. The Committee expresses its appreciation for the detailed report submitted by the State party and the additional information provided by the delegation in response to the Committee's questions and comments. The Committee regrets, however, that the report was submitted nearly 10 years late. In this regard, the Committee welcomes the assurance of the delegation that its second periodic report, due in 1994, will be submitted without delay.

* At the 49th meeting (ninth session), held on 10 December 1993.

B. Positive aspects

3. The Committee notes with satisfaction the level of support accorded to international human rights activities by Senegal and, in general, the steps taken to fulfil its obligations under the various human rights instruments. In this regard, the Committee takes note of the information provided by the delegation indicating that those instruments are applicable in domestic law and that on a number of occasions those instruments have been invoked in courts of law.

4. The Committee welcomes indications by the delegation that the reports submitted to the human rights treaty bodies and the concluding observations adopted pursuant to those reports are made freely available to interested groups and individuals.

C. Factors and difficulties impeding the implementation of the Covenant

5. The Committee notes that economic factors, including difficulties caused by external debt servicing, have impeded the application of the Covenant. In this respect, the Committee notes with concern that short-term considerations applied in its structural adjustment policy have not adequately taken into account the long-term impact of reduced investment in the social sector.

D. Principal subjects of concern

6. The Committee is concerned that, in general, the State party has not provided satisfactory information concerning measures envisaged to improve the enjoyment of the rights covered under the Covenant, particularly with respect to the situation of women, youth and other vulnerable groups. The Committee is concerned with the extent to which women enjoy the rights contained in the Covenant, particularly with respect to articles 6 and 7. While noting that some progress has been achieved in this regard, there are continuing impediments to equality of access to employment. The Committee is particularly concerned that significantly lower literacy rates for women as well as certain cultural practices seriously compromises their opportunities for employment and advancement.

7. The Committee notes with alarm that budgetary cutbacks carried out in the educational sector under the programme of structural adjustment will have serious social and economic consequences for the future of the country. In this connection, the Committee is concerned over restrictions on school enrolment which have been undertaken with a view to reducing the number of qualified applicants to administrative posts in the public sector. The Committee is also concerned over the high proportion of drop-outs from general technical secondary education which has reached the level of 35 per cent of total enrolment.

8. The Committee is concerned over the full enjoyment of trade union rights as provided for under article 8 of the Covenant. In this regard, the Committee notes that foreign workers are barred from holding trade union office and that authorities may unduly restrict the right to strike by imposing compulsory arbitration.

E. Suggestions and recommendations

9. The Committee recommends that the State party undertake a systematic and comprehensive review of the relevant legislation, administrative procedures and policies to give effect to economic, social and cultural rights, in order to ensure that they conform to the requirements of the Covenant. Special attention should be paid to those areas concerning women and other vulnerable groups.

10. The Committee recommends that the State party, in its second periodic report which is due in 1994, provide focused information on the situation of women and other vulnerable groups and, in particular, measures taken and foreseen to facilitate the enjoyment of their rights under the Covenant. The State party should also provide the Committee with fuller information on the jurisprudence relating to the rights contained in the Covenant and measures envisaged to overcome the difficulties encountered in the implementation of the Covenant.

11. The Committee recommends that the State party undertake a thorough review of its policies with regard to education and vocational training with a view to expanding budgetary allocations for this section, expanding access to education and, in particular, reducing the number of student drop-outs. In this connection, the Committee underlines the importance of higher education and vocational training in developing a robust economy. The Committee suggests that the State party report more fully on this issue in its second periodic report.

12. The Committee recommends that the State party consider amending the relevant national legislation with a view to permitting foreign workers to hold trade union office and limiting the powers of authorities to restrict the right to strike by imposing compulsory arbitration.

13. In order to encourage and facilitate greater public involvement in the implementation of the Covenant, the State party should ensure that adequate publicity is given to the Covenant, its provisions are translated into local languages and its report to the Committee along with these concluding observations are made available to interested groups and individuals.

14. The Committee wishes to bring to the attention of the State party the need to ensure that structural adjustment programmes are so formulated and implemented as to provide adequate safety nets for the vulnerable sectors of society in order to avoid a deterioration of the enjoyment of the economic, social and cultural rights for which the Covenant provides protection.